App. F. IX-4

Previous References

1935.
(Lugis

File No. 46-35

Serial Nos. 1296

Letter References.

PRESERVED

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. one

Part B for December 1936

SUBJECT.

Amendment to Rule 4 of the Rules relating to Forest Leases.

Memo. No. P 35/97 dt 2-12-36 to the Compiler

WD 0418—GPB—22,500—29-8-36

Notification as above.

M Gregor
29/1/37

M. T. B. F. 13.]

Mysore Traffic Board. | File No. | of 193 .

Serial No.

No C 935/36-37 dt 15.9.36 from the Rev. requests instructions re. levy of toll on carts ~~laden~~ unladen and returning laden within period of 24 hours.

The Rev. Comr. requests to know if a cart should be construed as a separate unit and full toll of annas 8 be levied although it has passed the same tollgate within 24 hours unladen paying annas two or whether the difference has to be collected from the same laden which passed the tollgate unladen by paying toll in which case annas 6 have to be collected from the laden or whether the unladen cart should be free.

2) There is no definite order regarding such cases. The D.C. of Kolar has however ordered that the difference viz annas 6 should be collected in the case of a cart that passes tollgate unladen and returns laden within a period of 24 hours; and the R.C. is of opinion that the D.C's order is correct.

3) It may perhaps be submitted in connection that if the same cart that passes unladen by paying toll of 2 annas were to return laden within 24 hours there will not be any [illegible] Otherwise there would be loss of toll amount [illegible]

NOTE —Contn. Sheet.

WD 0179—GPB—4,000—20-8-36

2

File No. of 193 . Mysore Traffic Board.

Serial No.

exchange of toll receipts.

4) Submitted for orders.

3/2/1936 5) According to rule 4 of the Rules for the levy of tolls no more than one toll shall be levied at any one toll gate in respect of any vehicle in any one period of 24 hours. The question now raised is whether tolls are to be levied on cart vehicles passing a frontier toll gate as empty paying a toll of 2 as and returning within 24 hours as a loaded vehicle where it would ordinarily be liable to a toll of 8 as. The rules are silent on this point. This is a new rule and it is not known what the procedure in such cases in previous years was.

6) The DC. Kolar on this question being raised has suggested that in such cases the difference in toll may be collected. Thus 6 as will be collected as toll in the case of the cart referred to above. The RC is of the opinion that

562 of 86.
T.B 3

General & Revenue Secretariat. | File No. | of 193 . | [App. F. III–2

Serial No.

the orders of the DC are correct the police's orders of Govt in the matter.

7) On a strict interpretation of the rule referred to above, no toll would appear to be leviable on the loaded vehicle referred to above. This could not however be the intention of the rule. It is necessary therefore to amend this rule.

8) The levy of a toll equal in amount to the difference between the higher rate of toll leviable and that already paid is an equitable one and seems to be in keeping with the spirit of the rule. An analogy can also be found in the recent rules issued in regard to taxes on motor vehicles which enable payment of the tax, and allow so as to bring the vehicle under a class liable to a heavier rate of tax. In such cases the vehicle is to pay the difference between the higher tax and the tax already paid.

9) Not necessarily, for the cart that returns is not the "same" as the one that paid the toll earlier. Govt.

NOTE—Contn. Sheet.

6 2178/p/36 562/1936 FB

File No. of 193 . | General and Revenue Secretariat

10) The R.C.s recommendation may kindly be approved.

11) If this is approved the draft amendment submitted to rules 3 & 5 submitted herewith may kindly be approved.

12) Secretary) JAR 24/9/

13) This may be approved

14) JAR 28/9

15) Hon'ble Member

16) JAR 30/9/36

17) Submitted 3/10

18) 3/10/36

19) Draft notification is issued.

3/10/36

20) For Secretary to Govt. Revenue Department

21) Asst. Secy Land JAR 6/10

22) The Proviso may perhaps be as follows:

23) Provided that (when toll has been paid levied at any one tollbar gate or station in respect of any) vehicle such vehicle

GENERAL BRANCH 24 SEP 1936 573

OFFICE OF THE [illegible] COUNCIL 2 OCT 1936 2031

Serial No.

and such vehicle passes again through such toll bar gate or station) within such period (not exceeding) in such condition that it becomes liable except for this rule to pay a toll higher than that which was already levied, (then) the difference between such toll and the toll already levied (shall be payable). shall be liable to pay

24) If however the draft already approved is to be adopted, the alterations indicated therein may perhaps be made before issue.

25) Sec, T & B D
W.C
MC
9/10

26) The rules already approved with exceptions by Asst. Secy may be issued.

27) Genl. Secretary
SAR
10/10

28 The wording may be made simpler if possible. Please see orgs & try. If Sh Officer will come with some similar rules we could draft

HW
17/10

29) Draft appd may issue—

HW
19/10

21/10

GENERAL SECRETARY.
10 OCT. 1936

NOTE—Contn. Sheet.

2174/p336

File No. 562/TB of 193 .

General and Revenue Secretariat

1) Issued draft notification (Camp) no p. 5 dt 25/27.x.1936 — published at page 436 part IV supplement Gaz dt 2.9.x.36.

2) No. C. 935/36.37 dt 26/28.x.36 from the Rev. Comr. requesting for early orders of Govt in the matter pertaining to the levy of tolls on carts passing a toll gate within a period of 24 hours on laden and returning laden.

3) A copy of the draft notification in this connection has already been forwarded to the Rev. Comr. with (Camp) no p. 6 dt 27.10.36. — W

4) Kind reference is invited to the action taken by the D.C. Kolar in asking the Amildar to supply manuscript ticket books serially numbered to tollgate muttasadis — (Enclosure to p.u.d)

B/31/11/36.

5) Inform RC that the proposal involves the amendment of the rules and that the necessary draft amendment has been published at page 436 part IV of Sup Gaz dt 29.x.36 As necessary orders will issue in due course. Col, DC.

VAR 4/11

6) Draft sent.

B/6/11/36.

7) Issued

VAR 6/11

✓ Issued no- p 3043 dt 6/7.11.36 to the Rev. Comr. intimating that formal notifn will issue in due time.

Copy to Dy. Kolar No 3044 dt 8/7.11.36

Govt till 15th November 36.

B/7/11/36

[illegible] of tolls on carts that pass of [illegible] unladen and return laden within the course of 24 hours.

5627/6
TB
83/
TB

M. T. B. F. 13.]

Mysore Traffic Board. | File No. P of 193 .

Serial No.

35) No objections or suggestions have been received so far in respect of the Draft Rule. Draft final notification will be submitted for [illegible]

Final publication of the rule will be made

General Secy
Finance
Asst. Secy. Legal

AR
17/11/

BKR
17.11.36

Yes Jud
23/11

GENERAL SECRETARY.
17 NOV. 1936
35

3373
23/11

Trial Member) AR 23/11

JR
23/11

Drafts.

AR 26/11

Draft submitted for kind approval

GENERAL SECRETARY.
27 NOV. 1936
353

Gen. Secy) AR
27/11

Jud
28.

Asst Secy AR 28/11

Typed fair copies are submitted for signatures.

[illegible] has perhaps [illegible]

28/11

NOTE —Contn. Sheet.

WD 0179—GPB—4,000—20-8-36

8 Levy of tolls on carts that pass a 2178/P of 36
tollgate within a period of 24 hours. 567 831

Legs File No. 46 of 193 5 Mysore Traffic Board. 36

	Serial No.	
Issued no. P 3597 dy 21.12.36 to the		
Compiler mys. Gaz for publication		B
To be sent to prtr for record		6/1/37
3/8/1/37		
AR 8/1/		

No. C.935/36-37.
one Copy.

OFFICE OF THE REVENUE COMMISSIONER
IN MYSORE,

Dated Bangalore, 26th October *1936.*

28 OCT 1936

FROM

K.V. Anantaraman, Esq., B.A.,
Revenue Commissioner in Mysore.

OFFICE OF THE SECRETARY
MYSORE TRAFFIC BOARD
BANGALORE.
No. 831/T.B of 36
Date 29.X.36.

3/31/10

SDR 30/10

TO

The Secretary,
Mysore Traffic Board, Bangalore.

SIR,

Toll - levy of - within a period of 24 hours.

In inviting your kind reference to this office letter No.C.935/36-37 dated 16th September 1936 soliciting instructions of Government regarding the levy of difference of toll to be recovered in respect of a bullock cart passing a toll-gate unladen and returning laden within a period of 24 hours, I have the honour to request the favour of early orders in the matter.

2. Copy of a further communication dated the 16th October 1936 received from the Deputy Commissioner is enclosed for perusal.

I have the honour to be,
Sir,
Your most obedient servant,
K.V. Anantaraman
For Revenue Commissioner.

BR.

Letter No.A.5-J.843/36-37 dated 16th October 1936, from the Deputy Commissioner, Kolar District, to the Revenue Commissioner in Mysore.

In continuationof this office letter No.A.5-J.843/36-37 dated 27th August 1936 seeking clear instructions in the matter of levy of toll on carts which pass through a toll gate unladen and return laden within 24 hours, etc., I have the honour to state that the Amildar, Goribidnur Taduk has since asked for the supply of ticket books of 6 annas denomination to levy the difference of 6 annas (viz., difference between the rate fixed for the laden cart and that of an unladen cart) when an unladen cart in respect of which a toll has been levied returns laden within 24 hours.

As under the Mysore Road Traffic and Taxes Regulation, the issue of tickets of 6 annas denomination in the case of vehicles referred to above is not contemplated, no printed books are available.

Pending orders from you in the matter, I have asked the Amildar to supply manuscript ticket books serially numbered and containing 100 pages each to the toll gate Mutsaddi after numbering and sealing each page and recording a certificate on the covering sheet as to the number of the pages the ticket book contains.

" C o p y "

M. N. Ramachar

For Revenue Commissioner.

BR.

Add the following proviso to Rule 4 of the Rules for the levy of tolls:-

"Provided that in those cases in which such a vehicle becomes liable, when it subsequently passes the toll-bar, gate or station within the said 24 hours to a higher rate of toll than that already paid, the difference between the higher rate of toll, that is thus due and the toll already paid shall be payable, subject to such further conditions as may, from time to time, be notified by Government in this behalf".

JSR
24/9/

6fi
11

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. Comp. PS/Regn.

General & Revenue Secretariat,
Dated, Bangalore, the 25th October 1936

NOTIFICATION.

The addition of the following proviso to Rule 4 of the Rules relating to the levy of tolls published with Notification no. P.3443/Legis.46-35 dated 27th November 1935 which the Government propose to make in exercise of the powers conferred upon them under Section 14 of the Mysore Road Traffic and Taxes Regulation VV of 1935, is hereby published for the information of persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 15th November 1936 and that any suggestions or objections which may be received from any person in respect of the said proviso within that date will be considered by Government.

Draft Rule.

Add the following as proviso to Rule 4 of the Rules relating to the levy of tolls published with Notification no. P.3443/Legis.46-35 dated 27th November 1935:-

"Provided that in those cases in which such a vehicle when it subsequently passes the toll bar, gate or station within the said 24 hours becomes liable, except for this rule, to a higher rate of toll than that already paid, the difference between the higher rate of toll, that is thus due and the toll already paid shall be payable".

By Order.

For GENERAL SECRETARY TO GOVERNMENT

for publication in Part IV of the Gazette and sending direct.
The Copy for the next issue of the Gazette etc.
25 copies each to the Deputy Commissioners of Dist-

P.T.O.

562 TB 936 6

No. C.935 /36-37. One

Revenue
OFFICE OF THE ~~XXXXXX~~ COMMISSIONER
IN MYSORE,

Bangalore,...15th..September....*193*6.
16.SEP.1936

FROM

K. V. ANANTARAMAN, ESQ., B.A.,
Revenue~~Xxxxx~~ *Commissioner in Mysore,*
Bangalore.

To

The Secretary,
Mysore Traffic Board,
Bangalore.

SIR,

Toll - levy of - within a period of 24 hours.

In forwarding herewith a copy of letter No.A.5-C.843/36-37 dated the 27th August 1936 received from the Deputy Commissioner, Kolar District, soliciting instructions about levy of tolls on carts going unladen and returning laden within a period of 24 hours, I have the honour to state that the Deputy Commissioner has raised three points (1) whether a laden cart has to be considered as a separate vehicle and the full toll of 8 annas levied even though it has passed the toll-gate unladen within the past 24 hours paying toll of 2 annas fixed for an unladen cart or (2) whether only the difference between the rate fixed for the laden cart and that of the unladen cart (8 as. - 2as. or i.e., 6 annas has to be levied or (3) whether it should be allowed free.

2. As the existing orders do not provide for contingencies like these, I solicit orders of Government in the matter. I am of the opinion that the Deputy Commissioner's order to the amount is correct i.e., to levy 6 annas.

I have the honour to be,

S i r,

Your most obedient servant.

M. Chandrasekhara

Revenue Commissioner.

BR.

Letter No. A.5-C.843/36-37 dated 27th August 1936, from the Deputy Commissioner, Kolar District, to the Revenue Commissioner in Mysore.

I have the honour to state that the Amildar, Goribidnur Taluk has sought instructions regarding the levy of toll on carts which pass through a toll-gate unladen and return laden within 24 hours.

The rule on the subject (Rule 4) reads as follows:--

"4. No more than one toll shall be levied at any one toll-gate or station in respect of any vehicle in any one period of 24 hours".

The Amildar seeks instructions on 3 points i.e., (1) whether a laden cart has to be considered as a separate vehicle and the full toll of 8 annas levied even though it has passed the toll-gate unladen within the past 24 hours paying toll of 2 annas fixed for an unladen cart or (2) whether only the difference between the rate fixed for the laden cart and that of the unladen cart (8 annas - 2 annas) i.e., annas six has to be levied or (3) whether it should be allowed free. Pending final orders from you in the matter, the Amildar has been directed to levy the difference of 6 annas viz., difference between the rate fixed for the laden cart and that of an unladen cart, when an unladen cart in respect of which a toll has been levied returns laden within 24 hours.

I therefore request clear instructions in the matter.

" C o p y "

M. N. Anantha Murthy.

For Revenue Commissioner.

BR.

C6

NOTIFICATION.

No. (Camp) P. 5—Legis. dated (Camp) Mysore, the 25—27th October 1936.

The addition of the following proviso to Rule 4 of the Rules relating to the levy of tolls published with Notification No. P. 3443—Legis. 46-35, dated 27th November 1935, which the Government propose to make in exercise of the powers conferred upon them under Section 14 of the Mysore Road Traffic and Taxes Regulation VI of 1935, is hereby published for the information of persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 15th November 1936, and that any suggestions or objections which may be received from any person in respect of the said proviso within that date will be considered by Government.

~~Draft~~ Rule.

Add the following as proviso to Rule 4 of the Rules relating to the levy of tolls published with Notification No. P. 3443—Legis. 46-35, dated 27th November 1935:—

"Provided that in those cases in which such a vehicle when it subsequently passes the toll-bar, gate or station within the said 24 hours becomes liable, except for this rule, to a higher rate of toll than that already paid, the difference between the higher rate of toll that is thus due and the toll already paid shall be payable."

By Order,

M. VENKATESA IYENGAR,

Secretary to Government,
General Department.

~~Printed by the Superintendent at the Government Press, Bangalore.~~

M. T. B. F. 11. **MYSORE TRAFFIC BOARD.** 9

SUBJECT .....

.....

.....

Published in ~~the~~ Part IV-A of the Mysore Gazette dated 3.12.36 page 465

Diary No. of letter replied to.....

( )

the 193 .

Date of issue 2/12/36

List of enclosures.....

Copied by .....

...ined by.....

~~T.~~B. File No. Legis 46-35

Serial No. 12

Notification

No. T. P3597

~~To~~

In exercise of the powers conferred upon them under Section 14 of the Mysore Road Traffic and Taxes Regulation VI of 1935, the Government of His Highness the Maharaja of Mysore are pleased to issue the following proviso to Rule 4 of the Rules issued with notification no P3643/Legis 463 dated 27th November 1935, the draft in the said behalf having already been published with notification no. (Camp) P5/Legis 46-35 dated Camp Mysore 25/27.Oct. at page 433 part IV of the Gazette dated 29.10.36.

(Here type printed matter)

By order,

Secretary.

To

The Compiler Mysore

Gaz for publication in part IV of
next issue of the Gaz and
to print and supply direct 26 copies
each to the Rev. Coun in mysore
the L.G.P. Dms of Dist, the
Mil. Coun Bldrs & the president
Cl Mil. Cl mysore; and 500 copies
to this office.

E/.
27/11/76